

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

MARY ORMOND, *et al.*,
On Behalf of Themselves and
All Others Similarly Situated,

Plaintiffs,

vs.

ANTHEM, INC., *et al.*,

Defendants.

JEFFREY D. JORLING,
On Behalf of Himself and
All Others Similarly Situated,

Plaintiffs,

vs.

ANTHEM, INC., *et al.*,

Defendants.

Case No. 1:05-cv-1908-TWP-TAB

As stated recently in the related case 09-798 [Docket No. 172], a review of the exhibits sought to be filed under seal suggests that many of the documents sought to be sealed by the instant motion may not be properly sealed. In fact, in this case it is difficult for the Court to discern why any of these documents should be sealed, irrespective of the confidentiality designation and protective order. For example, a portion of Exhibit 8 references deposition testimony setting forth Webster's Dictionary's definition of the word "authoritative." That definition, of course, is readily available public information, rather than something so highly confidential that it must be sealed from public view. Accordingly, any party that seeks to have any documents subject to this motion remain under seal shall show cause by July 6, 2011, why the documents should not be unsealed.

Tim A. Baker
U.S. Magistrate Judge
June 22, 2011

Case No. 1:09-cv-798-TWP-TAB

MOTION FOR LEAVE TO FILE MATERIALS UNDER SEAL

Plaintiffs, Mary Ormond, *et al.* and Jeffrey D. Jorling, respectfully submit their Motion for Leave to File Materials Under Seal, and state as follows:

1. Counsel for Plaintiffs and Defendants filed a Joint Motion for Protective Order on July 2, 2010. Docket #60.
2. On June 20, 2011, contemporaneous with this filing, Plaintiffs filed a

Reply in Support of their Motion for Partial Summary Judgment. The evidentiary materials relied upon by Plaintiffs that Plaintiffs seek to file under seal have been designated as “Confidential” according to the terms of the Agreed Protective Order.

3. The sealed materials are being filed contemporaneously herewith as Plaintiffs’ Designation of Sealed Evidence in Support of their Motion for Partial Summary Judgment.

WHEREFORE, Plaintiffs respectfully request that the Court accept for filing under seal Plaintiffs’ Designation of Sealed Exhibits in support of their Motion for Partial Summary Judgment.

Respectfully submitted,

/s/ Eric H. Zagrans

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed electronically on June 20, 2011. Notice of this filing will be sent by operation of the Court's electronic filing system to the following parties who may access this filing through the Court's system:

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